

ANDREW H. BAKER, SBN 104197
BEESON, TAYER & BODINE, PC
1404 Franklin Street, 5th Floor
Oakland, CA 94612
Telephone: (510) 625.9700
Facsimile: (510) 625.8275
Email: abaker@beesontayer.com

Attorneys for Plaintiff
Freight Checkers, Clerical Employees and Helpers Union Local No. 856, IBT

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FREIGHT CHECKERS, CLERICAL
EMPLOYEES AND HELPERS UNION
LOCAL NO. 856, INTERNATIONAL
BROTHERHOOD OF TEAMSTERS,

Plaintiff,

v.

CENDANT CAR RENTAL GROUP
D/B/A AVIS RENT-A-CAR SYSTEM,
INC.,

Defendant.

Case No. C-05-04714 MEJ

NOTICE OF VOLUNTARY DISMISSAL
(Rule 41(a)(i))

ORDER CLOSING FILE

Pursuant to a settlement between the parties of the above-captioned matter, Plaintiff Freight Checkers, Clerical Employees and Helpers Union Local No. 856 hereby gives notice that the Complaint in this matter shall be and is hereby dismissed.

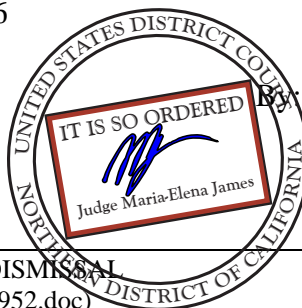
Date: February 28, 2006

Respectfully submitted,

The Clerk of Court shall close the file.

BEESON, TAYER & BODINE, PC

Dated: February 28, 2006



/s/Andrew H. Baker
ANDREW H. BAKER
Attorneys for Plaintiff

PROOF OF SERVICE

I, Esther Aviva, declare:

I am a citizen of the United States and employed in Alameda County, California. I am over the age of 18 years and not a party to the within-entitled action. My business address is 1404 Franklin Street, 5th Floor, Oakland, CA 94612.. On February 28, 2006, I served a copy of the within document(s):

NOTICE OF VOLUNTARY DISMISSAL

☒ at my business address identified above by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, and by placing the envelope, addressed as set forth below, for deposit in the United States Postal Service that same day in the ordinary course of business. I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

Aiko Bunn
Avis Rent-A-Car System, Inc.
6 Sylvan Way
Parsipanny, NJ 07054

Theodore Opperwall, Esq.
280 North Old Woodward Ave., Suite 400
Birmingham, MI 48009

☒ I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 28, 2006, at Oakland, California.

/s/Esther Aviva
Esther Aviva
Secretary to Andrew H. Baker